



THE ACT ANENT THE SETTLING of Measures and Weghts, cōcluded at *Edinburgh* the 19 day of Februar 1618 yeeres. by the Cōmisſioners having power to doe the ſame by Act of Parlia- ment made the twentieth eight day of Iune 1617



Orſomuch as in Our Sovereaine Lords laite Parliament holden at *Edinburgh*, the xxviij day of June laſt bypaſt his Highnes and Eſtates conveyned therein, Mooved by the generall complaint of all his louing Subjects: and in reſpect of their ſenſible prejudice ſcene and felt through many parts of this Kingdome by reaſon of the diverſitie of Measures and Weghts uſed within the ſame.

Therefore Our ſaid Sovereaine Lord, with adviſe of his ſaids Eſtates; For removing of all abuſes which may enſue in any tyme to come, thereby hath found expedient and by Decreet & Statute of the ſaid Parliament; Decerned, Statut, and Ordeined, That there ſhall bee but one juſt Measure and Weght, through all the partes of this Kingdome; which ſhall Univerſallie ſerve all his Highnes Leiges by the which they ſhall buy, ſell, receiue, and giue out, in all tyme to come. Which Measure his Maieſtie with adviſe foreſaid, Fand; ſhould be that Measure of *Linlithgo*, which is now commonlie uſed and which hath beine uſed moſt customablie through the greateſt part of this Kingdome theſe fiftie or thrieſcore yeeres bypaſt. And for ſetling of a perſyte order whereby all the Measures that are now uſed may be reduced to the conſormitie of the ſaid measure now authorized, and for making of proportion anſwerable betwix the Leſſer Meaſurs and Weghts, and the Greateſt.

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His MAJESTIE with advise foresaid, granted full power and Commission, To S^r James Weemes of Bogie knight. S^r George Auchinlek of Balmanno knight. S^r James Fowles of Colingtoun knight. S^r Robert Stewart of Shillinglaw knight. S^r Ithome Waws of Barnbarro knight. S^r William Greirson of Lag knight. And to James Nisbet Bailie and burges of Edinburgh, M^r Alex^s wedderburne Clerk of Dondie, S^r Thomas Menzeis Provest of Aberdeine. James Hamilton Provest of Glasgowe, John Oisburne burges of Aire, and S^r George Bruce of Carnok knight. burges of Culros. Whome or any eight of them, His Majestie with advise foresaid, Ordeined to meet and conveyne together, at such tyme and place as they should think expedient. And to consult and advise together, and to appoint and determine vpon the most convenient meanes how the saids Measures and Weghts, might bee reduced to the conformitie foresaid. As in the said laite Act of Parliament at more length is conteined.

Which whole Commissioners foresaids, hauing mett and conveyned within the Burgh of *Edinburgh* vpon the twentie ane day of Januar last bypast and the most part of them vpon diuers and sunrie others' dayes thereafter in the said moneth of Januar and Februar instant. And hauing read and considered the foresaid Act of Parliament, anent the saids measures and Weghts and finding that It is Ordeined that their shall be onlie Ane just Measure and Weght, through all the parts of this Realme which shall vniuersallie serve all his Maiesties Leiges (by the which and no other) they shall buy and sell, in all tyme coming. And that it is declared by the said Act that the foresaid Measure and Firlot of *Linlithgo* which is now commonlie vsed and which hath bene most customablie vsed through the greatest part of this Kingdome these fiftie or thrie-score yeeres bygone, shalbe the foresaid just Measur and Firlot which shall be receiued and vsed by all his Majesties Lieges in all tyme coming. And that Cōmission is giuen bee vertue of the said Act to the saids Commissioners for setting of a perfect order whereby all the saids Measures that are now vsed, may be reduced to the conformitie of the said measure of *Linlithgo*. And for making of a proportion betwixt the lesser measures and weghts and the greatest. Haue first thocht it meit and expedient that the Provest and Baillyes of *Linlithgo* who are keepers of the said measure shuld produce before them the said measure which hath bene given owte to them to the Burrows and all others his Majesties Leiges these fiftie or thrie-score yeeres bygone, with their Jedges and warrands which they haue for the same. Who being cited for that effect, Produced before the saids Cōmissioners their said Measure and Firlot with the Jedge which is their warrand thereof. And the same measure and firlot being fund agreable with the said Jedge, the saids Commissioners caused presentlie fill the same with water which being full, they fand that the same coteined Twentie ane pincts and ane mutchkin of just *Sterline* Jug and measure, and that the foresaid jug containes within the same Thrie punds and seaven vneces of frensh Troys weght, of clear runing water of the water of *Leith*. And because the saids Cōmissioners could findout no other meanē whereby they might trye the warrād of the Quantitie of the said measure and firlot of *Linlithgo* which hath bene in vse these fiftie or thrie-score yeeres bygone, But be taking of the oaths of the saids Provest and Baillyes thereanent, They

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tooke the oathes of *Andro Milne* Provest of the saide Burgh of *Linlithgo* *Andro Bell* and *James Glen* Baillyes thereof who being with all requisite Solemnitie Sworne: Deponed vpon their consciences; That the foresaid Firlot and Measure produced by them, was the verie true and Just measure which hath bene given owt to his Majesties Lieges by them and their prædecessors these fiftie or thrie-score yeeres bygone, and that the same by their knowledge hath never been altered in any fort during the tyme foresaid, and siklike declared vpon their consciences, that so far as they could trye by the most ancient and aged persons of their Burgh, that the foresaids Judges are of great antiquitie and haue neuer bene altered or changed in any tyme bygone: And that they never had, nor hes, any other Measure, or Iedge to their knowledge.

Which Firlot, the saids Commissioners Haue Fund, and Declared, Statute and Ordeided, to be the Just and onlie Firlot which shall be received and used, by all his Majesties Lieges in all tyme comming: For metting of Wheat, Rye, Beines, Peas, Meal, Whyt Salt, and such other stuff & Victuall as before this tyme hath beine in use to bee measured by straik Mett, within this Kingdome. The wydnes, and Breadnes, of the which Firlot vnder and above euen over within the buirds, shall containe nyne-teen Inches, and sext part inche; and the deipnes, seaven Inches, and ane thrid part of ane inche: and the Peck, halfe Peck, and fourt part Peck to bee made effeirand thereto; And the steppes of the said Firlot to be in thiknes one Inche at the least: That the Bottome thereof bee crossed with Iron nayled to the same, and to the Ring of the Firlot; and the edge of the bottome entring within the lagene bee pared outwith towards the nether-syde, and to be made inwith plaine and just reul-right; That the mouth bee ringed about with ane croce or girth of Iron inwith and outwith, hauing a croce Iron barre passing ouer from the one syde to the other thrie squared, and edge down, and a plaine syde vp, which shall goe reul-right with the edge of the Firlot, and euerie square shall be ane just Inche of breadth. And that there be ane prick of Iron one Inche in roundnes, with ane shoulder vnder and aboue and rysing vpright out of the Centre or midst of the bottome of the Firlot, and passing through the midst of the said over croce-barre, rooved both vnder and aboue. And that the said Cowpar cause the ring-straik of the said Firlot, passe from the one end of the said over Iron barre to the other: And the same to bee brunt and sealled, with the mark of foure Crownes, vpon both the sydes of the bottome, with fyve impressions of the letter L, vpon the lippes thereof. And for eschuing of fraud in all tyme comming; The saids Commissioners all in one voice but discrepance or variance, Haue thought expedient Statut and Ordeined, by vertue of the foresaid Commission granted to them by the said laite Act of Parliament, That all Victuall and stuff shall bee measured by straik, through all the parts of this Kingdome, in all tyme comming. And by reason that Mault, Beare, and Aites, haue euer beene used to bee measured by heape; and that by the meaning of severall præceding Acts of Parliament, IT hath beine thought, that Heapes in proportion was the just thrid of the Firlot and Peck, So that thrie straiked Firlots, for two heaped Firlots, Sex straiked Firlots

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for foure heaped Firlots, was thought to bee a juſt proportion, the one agreeable to the other. And the ſaids Commiſſioners by tryall and examination hauing found that the Heape in proportion, IS not the juſt thrid part of the Firlot and Peck, but that there is a great difference therein, and no ſmall præjudice both to the giver and receiver, of thrie ſtraiked Firlots or Pecks, for two heaped firlots or pecks, and conſequentlie of ſex for foure, the Heape being alwayes the leſſe measure as ſaid is.

THEREFORE they haue found it expedient to cauſe make ane particular Measure or Firlot, for metting of Mault, Beare, and Aites, by ſtraike, in all tyme comming, which being made and produced in their preſence, and after tryall and examination thereof, Haue found the ſame in proportion neireſt to the ſaid Heape, ſo that foure ſtraiked Measures or Firlots thereof, conteines in juſt proportion (and to the leſſe præjudice of all his Maieſties Lieges) foure heaped Firlots. Which the ſaids Commiſſioners hauing cauſed fill with cleare running water of the water of *Leith*, They find the ſame to containe Thrittie one Pinets, of the juſt *Sterline* Jugge and measure, ilk Pinet containing the Weght foreſaid. And the ſame to bee in wydnes and breadnes equall and conforme to the former Firlot, and in deipnes, Ten Inches and ane halfe inche.

Which they Find, Statute and Ordeins, To remaine as ane juſt Measure and Firlot, to bee Uſed for metting and measuring of Mault, Beare, and Aites, by ſtraike, in all tyme comming. And that the Pecks, halfe Pecks, and ſourt part Pecks thereof bee made conforme in proportion to the ſame laſt Firlot: Which new Firlot in all other reſpects ſhall be agreeable in forme with the old ſtraike Firlot aboue written, having one Iron girth more in the miſt thereof outwith, and marked with the impreſſion of the letter H. on the outmoſt ſyds thereof.

And the ſame with the foreſaid other Firlot containing twentie ane pinets & ane mutchkin, To bee giuen out by the ſaids Proveſt and Baillyes of *Linlithgow*, to whoſe cuſtodie the ſame was cõmitted of old, To the Burrowes and all others his Maieſties Lieges for that effect, betwix the date hereof and the twentie day of Apryle next-to come. And that foure ſulles of either of the foreſaids Firlots containe and bee repute to bee ane juſt BOLL, in all tyme cõming allenerlie. Siclyke the ſaids Commiſſioners hauing conſidered the great Præjudice ſuſtained by all OUR Sovereine LORDS Lieges through the diverſitie of Weghts, uſed within all the parts of this Realme.

THEREFORE and conforme to their ſaid Cõmiſſion and Act of Parliament foreſaid, and for eſchuing of all fraud, Haue thought expedient, Statute, and Ordeined, That there ſhall bee onely one Juſt Weght through all the parts of this Kingdome, which ſhall univerſallie ſerve all his Maieſties Lieges (by the which and no other) they ſhall buy and ſell, all and whatſomever Wares accuſtomed to be boght and ſauld by Weght als weell Foraine, as Cuntrie-Wares ; in all tyme hereafter : to wit, The freſh Troys Stone Weght, containing Sexteine Troys Pounds, in the Stone, and Sexteine Troys Unces in the Pound, and the leſſer Weghts and Measures to be made in proportiõ conforme therto : (And that Weght called of old the Trone weght to bee allvterlie abolISHED and diſcharged, neuer

and neuer hereafter to bee received nor vsed.) And in respect that the keeping and out-giuing of the Weghts of old to the Burrowes, and others his Majesties Lieges within this Kingdome; was comitted to the Burgh, of *Lanerk*: Therefore the saids Commissioners haue committed the keeping and out-gining of the said frensh Troys Stone Weght, now established, to the foresaid Burgh of *Lanerk* and their Successors, to be given out by them and their saids successors to the Burrowes and others his Majesties Lieges, betwix the date hereof and the First day of Maij next to come, and in all tyme comming.

And lykewayes Statuts and Ordeins, that there bee double Standards of the foresaids Firlots and Measures, and Judges thereof, and of the foresaids Weghts, Two of euerie one of them to remaine in the Register, within the Castell of *Edinburgh*, and other two within the Castell of *Dunbritane*, therein to remaine as a warrand for the measures allenerlie. And the other in the Townes to whom they haue beine comitted of old as said is, to be direct soorth to the whole Lieges to be vsed Universallie. And this without præjudice to any persons who are founded infest or addetted, by Tak or contract, of old or new fermes of others Measures and Weghts; but that their Foundation, Infestment, Tack, or Contract, shall bee proportioned to the Measure and Weght now established, so that the same quantitie shall remaine with the giuer and receiuer, but præiudice to any of them. Sicklyke haue found and declared, That the Elne and Stand thereof committed to the keeping of the Burgh of *Edinburgh*, containeth Thritie seven Inches. And the Pinct Stowp, comitted to the keeping of ye Burgh of *Sterline*, containeth the weght of Thrie Pounds seaven Unces of frensh Troys weght cleare rûning water of the watter of *Leith*. Which Elne, and Stowp, They Statut and Ordaine, to remaine and abyde in the same integritie as they are now, and that no other Elne nor Stowp, or greater or lesse proportion containing the said weght, shall bee receiued by none of his Majesties Leiges in any tyme comming, to buy or sell with; in any part of this Kingdome. And the halfe and quarter Elnes, and halfe quarters, and Nails: Quart, Chopin, Mutchkin, and halfe mutchkine Stowps, bee made in proportion conforme thereto. And the Burghes of *Edinburgh*, and *Sterline*, to whome the keeping thereof hath beine committed of old; haue the out-giuing of the same to the rest of the Burrows and all others his Majesties Lieges to that effect, betwixt and the First day of Apryle next to come: And that they haue dowble Standards of the saids Elne, and Stowp, Two of euerie one of them, To remaine in the Register within the Castell of *Edinburgh*, and within the Castell of *Dunbritane*, for a warrand as said is: and the other with themselves and their successors, to whome they haue beine committed of old: And that the foresaids Measures, Mets, and Weghts, with the which all and whatsoever persons shall bee holden to buy, sell, mett, measure, wegh, and deliuer, haue course allenerlie within this Realme; after the dayes resp^a after following viz. The Weghts after the First day of May next to come and the Measures of Firlots and Pecks, and the rest of that degrie, after the First day of June next thereafter, and no other Weghts, Metts, nor Measures, to bee received nor vsed in any tyme hereafter; in any part

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of this Kingdome, vnder the paines contained in the Acts of Parliament made thereanent: and that all Firlots to be vsed in Markets both to burgh and Land be brunt and sealed either with the marks and Sealls of *Lindithgo* in maner foresaid, or with the burning Iron of the head burgh of the shyre wherein the saids markets are holden, And that the Provest and Baillyes of Royall Burrowes, and Cities both Regalitie and Royaltie, & als the Baillyes of Burrowes in Baronnie, and Justices of Peace in whatsomeuer places where markets of Viſtuall are holden, or others Foraine or Cuntrie Wares shall be boght, sauld, and weghed, mett, and measured, shall be bound, That all measures and weghts to be vsed shall bee of one forme and quantitie, according to this present Act: And if any different measures and weghts be found in any of the places aboue mentioned. The saids Provest and Baillyes of Royalities, Regalities, Baronies and Justices of Peace; shall take order therewith and if need be shalbe holden to informe the Kings Majesties Counsell thereof, that they may take order thereanent as appertaineth.

Provyding alwayes as is before provyded, if any persons bee founded or infest, and adetted by Tak, or contract, of old or new Ferme, of measures and weghts, then are before written in maner foresaid. Their foundation Tack or Contract, whether it be more or lesse, shall be proportioned to this measure and weght which now is established, so that the same quantitie shall remaine with the giver and receiver, but prejudice to any of them in maner particularlie before expressed. And because by the Provisions immediatlie before written, divers Pleyes and questions, may aryse bewix parties, receivers and deliverers, Maisters and tenents Fewers and their Superiors, anent Fermes and Viſtuall, and siclyk anēt other stuff and duties, adetted and bound to be payed and delivered by weght, either by infestments, Tacks, foundations, bandes, or contracts whatsomeuer, made before the date hereof anent the conforming and proportionating of the measures and weghts contained in the saids infestmēt Tacks foundations and others Securities foresaids, with the measures & Weghts now established, if sure notice and tryall be not taken of the just measure and quantitie of the measures and weghts which haue beine most customablie vsed and received these fiftie or thriescore yeeres bygone, within the Shiredomes vnder-written, viz. *Lanerk, Wigtoun, Drumfries, Roxburgh, and Bervik*. In the which the saids Commissioners considering evidentlie the greatest diversitie of measures and weghts, from the measures and weghts now established, to bee for the most part: So that these fyve shyres being brought to the conformitie aforesaid, the rest of the Shyres within this Kingdome may be easilie reduced to the same, conforme to this present Act.

THEREFORE the saids Commissioners, Finds it meet and expedient, and by these presents Statuts, Decernes, and Ordeins, That the Shiref of everie one of the foresaids fyve shyres of *Lanerk, Wigtoun, Drumfries, Roxburgh, and Bervik*; or their Deputs shall warne the Baillyes of Regalities within the same Shyres, and Steuarts of Steuartries thereof, if any bee, Justices of Peace, and Magistrates of Burrowes, To conveyn ilk one them within the heade Bourgh of the same Shyre wherein they
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are Magistrates, within twentie dayes after the Counsels pleasure shall be signified to them thereanent: and there not onlie to receiue and embrace the saids meassurs and weghts, from the Provest & baillyes of *Linlithgo* & *Lanerk*, to whome the keiping thereof is concredit in maner foresaid, & which are established by this present Act: But also to take tryall and cognition of the difference betwix the saids old measures and weghts, and the measures and weghts now established. And to appoint conclude & determine, ilkone of them within their owne bounds, what proportion lesse or more shall bee giuen and received in tyme comming, for conforming of their Fermes and dueties adetted by former infestments, foundations, Tacks, contracts, bands and Securities: to the foresaids Measures and Weghts now established, and to insert the same in their Registers and Court books; To remaine with them for decisioun of such controversies as may aryse in those bounds hereafter, anent the disconformitie foresaid: and to report their diligence thereanent and conclusion in writte authenticklie subscryved by the saids Shirefs of Shyres, Magistrats of Royall Burrowes, Baillyes of Regalities, Burghs of Baronnies, and Justices of Peace; conveying within ilkane of the foresaids Shirefdomes: And to present the same to the Lords of his Majesties Counsell and Session, before the first day of Julie next-tocome; To the effect the same may bee delyvered to the Clerke of Register to bee insert in the bookes of Counsell (*ad futuram rei memoriam.*) And that none of the foresaids fyve thyres, nor no others his Majesties Lieges within this Kingdome, presume nor tak vpon hand in tyme to come; To buy, Sell, blok bargane, contract, or sett in Tack, to, or with others, for receipt or delyverie, with any other Weght, Mett, or Measure, nor the same which now by this present Act is approoved and established. And this for report of the Commission aboue written, Requyring the Lords of Our Sovereine LORDS Counsell and Session, That Letters may bee direct for publication of the præmisses by oppen Proclamation at the market Croces of the head Burrowes of this Realme, and others places neidfull that none prætend ignorance of the same, Commanding and charging, all and sundrie the saids Provests and Baillyes of Burrowes and Citties, both of Royaltie and Regalitie, and also the Baillyes of Burrowes in Baronnies, Justices of Peace, and others whatsomeuer, in places where markets are holden; To put in execution this present Act and euerie part thereof in so farre as concerneth them, so that the same may take full effect after the dayes resp^{ue} foresaids: With certification to them & they faillye, they shall be called and accused, and the paines contained in the Acts of Parliament, shall bee execute vpon them in all rigour in example of others. In witnessing of the which the saids Cammissioners haue subscryved these presents with their hands, Day, Yeere, and Place foresaids. And Ordeins these presents to bee delyvered to the Clerke of Register, to the effect hee may cause insert the same in the Register of Parliament.

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